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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/691,334	10/18/2000	Aninda Dasgupta	US 000013	5217

7590 04/09/2003

Corporate Patent Counsel
U.S. Philips Corporation
580 White Plains Road
Tarrytown, NY 10591

EXAMINER

TRUONG, LECHI

ART UNIT	PAPER NUMBER
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2126

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DATE MAILED: 04/09/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Applicati n N .

09/691,334

Applicant(s)

DASGUPTA, ANINDA

Examiner

LeChi Truong

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 October 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>2</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. Claims **1-4, 7-10, 13-17, 20-24** are rejected under 35 U.S.C. 103(a) as being unpatentable over Rodesch et al (US. Patent 4,422,105) in view of Admit prior Art (APA)(page4).

As to claim 1, Rodesch teaches digital audio playback device (video playback device, the video tape recorder, col 2, ln 1-45/ col 3, ln 5-30/ col 4, ln 1-40/col 5, ln 1-20/ col 6, ln 1-15/ col 9, ln 50-68/ col 10, ln 1-5/col 17, ln 49-68), an external interface capable (interface 108,col 9, ln 51-68/ Fig. 4), processing system (computer 64, col 9, ln 51-68, Fig .4), user interface application program (command input, col 9, ln 51-68)/ user input command, col 3, ln 5-30/ col 4, ln 1-39 col 5, ln 1-20/ col 6, ln 1-15/ col 9, ln 50-68/ col 10, ln 1-5/col 17, ln 49-68), a memory (scratch pad memory, col 3, ln 20-30/ scratch pad memory 220, col 15, ln 46-68/ col 16, ln 31-45/ col 20, ln 10-32/ RAM 106 , col 9, ln 50-68/ col 10, ln 54-68), a reverse DAPD (reverse or forward scan function command/ software routine, col 3, ln 5-30, the software program ... routinescol 2, ln 1-47/ col 17, ln 9-64)col 19, ln 5-30), user interface(the keyboard, col 3, ln 5-30), monitor screen(video monitor, col 2, ln 12,ln 18-47/ CRT 42, Fig. 4).

Rodesch does not teach the application program interface (API) for the digital audio playback device. However, APA teaches API that are supported by the digital audio playback device (page 4, ln 8-17).

It would have been obvious to apply the teaching of APA to Rodesch in order to provide the interface by which an application program accessed operation system and other services, provides a level of abstraction between the application and to ensure the portability of the code.

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As to claim 2, Rodesch teaches executable instruction(branching instructions, col 4, ln 1-39/ instruction video program, col 1, col 55-67/ col 17, ln 1-24).

As to claim 3, Rodesch teaches first data (data, col 2, ln 1-45/ data dump segments, col 15, ln 10-30/ col 3, ln 5-30), a manufacture (the VRT tape media, col 15, ln 10-30/ video playback device, col 3, ln 10-30).

As to claim 4, Rodesch teaches a portion (col 1, ln 60-68/ col 18, ln 10-35), col 22, ln 27-38), user interface (the user 17, ln 65-68).

As to the processing system of claim 7, refer to the rejection of claim 1. Further, Rodesch teaches playing audio file (audio track, col 23, ln 1-20).

As to the processing system of claim 8, see the rejection of claim 2.

As to the processing system of claim 9, see the rejection of claim 3.

As to the processing system of claim 10, see the rejection of claim 4.

As to claim 13, Rodesch teaches digital audio playback device (video playback device, the video tape recorder, col 2, ln 1-45/ col 3, ln 5-30/ col 4, ln 1-40/col 5, ln 1-20/ col 6, ln 1-15/ col 9, ln 50-68/ col 10, ln 1-5/col 17, ln 49-68), processing system (computer 64, col 9, ln 51-68, Fig. 4), user interface application program (command input, col 9, ln 51-68)/ user input command, col 3, ln 5-30/ col 4, ln 1-39 col 5, ln 1-20/ col 6, ln 1-15/ col 9, ln 50-68/ col 10, ln 1-5/col 17, ln 49-68), a reverse DAPD (reverse or forward scan function command/ software routine, col 3, ln 5-30, the software program ... routines col 2, ln 1-47/ col 17, ln 9-64)col 19, ln 5-30), user interface(the keyboard, col 3, ln 5-30), monitor screen(video monitor, col 2, ln 12,ln 18-47/ CRT 42, Fig. 4).

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Rodesch does not teach the application program interface (API) for the digital audio playback device. However, APA teaches API that are supported by the digital audio playback device (page 4, ln 8-17)

It would have been obvious to apply the teaching of APA to Rodesch in order to provide the interface by which an application program accessed operation system and other services, provides a level of abstraction between the, and to ensure the portability of the code.

As to the method of claim 14, see the rejection of claim 2.

As to the method of claim 15, see the rejection of claim 3.

As to the method of claim 16, see the rejection of claim 4.

As to claim 17, Rodesch teaches the first data (the data dump, col 3, ln 1-30).

As to the computer-executable instruction of claim 20, refer to the rejection of claim 13. Further, Rodesch teach removable storage medium (storage medium, col 3, ln 65-68).

As to the computer-executable instruction of claim 21, see the rejection of claim 2.

As to the computer-executable instruction of claim 22, see the rejection of claim 3.

As to the computer-executable instruction of claim 23, see the rejection of claim 4.

As to claim 24, Rodesch teaches the the reverse DAPD API (stored instruction, col 28, ln 27-39), the first data (the data dumps, col 28, ln 27-39), the portion (the portion, col 1, ln 60-68) since the portions of an instruction video program in response to user input, the portion must be associated with the user input.

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2. Claims **5,6, 11,12, 18,19** are rejected under 35 U.S.C. 103(a) as being unpatentable over Rodesch et al (US. Patent 4,422,105) in view of Admit prior Art (APA) and further in view of Hunt el al (US Patent 6,442,658 B1).

As to claim 5, Rodesch does not teach a graphic file. However, Hunt teaches animated graphics(col 1, ln 14-23)/ JPEG graphic 210(col 7, ln 1-53).

It would have been obvious to apply the teaching of Hunt to Rodesch in order to deliver to the user a variety of files on multimedia works.

As to claim 6, Rodesch does not teach a URL associated with an internet wet side. However, Hunt teaches internet web page(col 1, ln 14-23).

It would have been obvious to apply the teaching of Hunt to order to deliver to the user a variety of files on multimedia works.

As to the processing system of claim 11, see the rejection of claim 5.

As to the processing system of claim 12, see the rejection of claim 6.

As to the method of claim 18, see the rejection of claim 5.

As to the method of claim 19, see the rejection of claim 6.

3. ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LeChi Truong whose telephone number is (703) 305 5312. The examiner can normally be reached on 8 - 5.

Fax phone: AFTER_FINAL faxes must be signed and sent to: (703) 746-2738, OFFICAL faxes must be signed and send to: (703) 746-7239, NON OFFICIAL faxes should not be signed, please send to: (703) 746-7240

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 305 9000.

LeChi Truong
March 23, 2003

A handwritten signature in black ink, appearing to read 'Alvin Oberley', with a long, sweeping horizontal stroke extending to the right.

**ALVIN OBERLEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100**